



PRESBYTERIAN CHURCH (USA)

OFFICE OF THE GENERAL ASSEMBLY

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April 4, 1997

Office of the Secretary
Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

**RE: FORMAL COMMENT ON INDUSTRY PROPOSAL FOR RATING VIDEO
PROGRAMMING (CS Docket No. 97-55)**

Dear Mr. Secretary:

By this letter, we are submitting formal comment on the Industry Proposal for Rating Video Programming (CS Docket No. 97-55). As we would like each Commissioner to receive a personal copy, enclosed you will find nine copies along with the original. We appreciate the opportunity to comment on this proposal, and stand ready to assist in any way we can.

SUMMARY OF FORMAL COMMENT

The Industry Proposal for Rating Video Programming fails to provide adequate and timely information about the nature of upcoming video programming, and thereby fails to assist parents in determining whether such programming would be harmful to their children. The industry guidelines are overly broad as they include violence, language and sexual content in each category, but do not explain why a program falls within a particular category. The industry guidelines have excluded any description of the program's content, an omission which seriously limits a parent's ability to determine whether a program is suitable for children. The industry guidelines do not address the underlying social and public policy issue which has led to the need for a ratings system: i.e., the public awareness of the detrimental effects of exposure to programs containing violence, foul language and the exploitation of sexuality as well as an awareness of a lack of programs which contribute to the wholesome, fulfilling development of children. Finally, the structural mechanism proposed by industry to monitor the implementation and consistency of the ratings lacks sufficient input from non-industry organizations, and cannot be trusted to amend the industry guidelines in a timely or adequate manner.

Therefore, the industry proposal should be rejected unless it is altered significantly to address these concerns.

BACKGROUND ON ORGANIZATION SUBMITTING FORMAL COMMENT

The Presbyterian Church (U.S.A.) is a major Protestant denomination of nearly three million

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members. The church is governed by a General Assembly which meets annually, and which has addressed issues related to the media for fifty years. The General Assembly speaks to the church and society expressing its best wisdom on the moral, ethical and theological implications of contemporary issues.

A consistent theme in the actions of the General Assembly has been an affirmation of individual responsibility whereby parents, teachers and ministers "by their own lives and by instruction teach both children and adults the dignity and value of human life..." (1962 and 1973). Also acknowledged is the need to provide a nurturing and loving family and social environment which fosters the positive human development of children. This is especially true in light of the prevalence of violence in our society, a reality which led the 1995 General Assembly to call upon church members "to pray diligently and continuously for God's intervention" to restore peace and order to our nation.

However, the policies adopted by the General Assembly have also noted the social responsibility of public media whose influence on society is far greater than often recognized. The broadcasting of television programs featuring "violence and immorality" has been opposed (1976). The 1973 statement on the dangers of pornography declared that portrayals of "wanton infliction of pain, suffering and death on human beings" are a "horrible obscenity."

This policy base has been translated into programmatic initiatives by the church which has led to significant involvement and understanding of the issues raised by the industry proposal.

Currently, the Presbyterian Church (U.S.A.), through our Offices of Media Services and Communications, is an active participant in the Media Awareness Year launched by the National Council of Churches for 1997-1998. Educational materials, both in video and printed format, will help congregations to promote media literacy. The upcoming national teleconference will assist participants to "recognize the power of mass media (television, radio, newspapers, the Internet, video games, billboards, etc.) to deliver an average of 16,000 media messages to everybody, every day." The teleconference will also "identify the values transmitted in media messages", and "examine both the positive and negative impact of media in reshaping the role and authority of the family and community."

The Committee on Mission Responsibility Through Investment (MRTI) has used the church's investment portfolios to initiate shareholder resolutions on violence in the media, and engage in dialogues with corporate officials of broadcasters.

Our Washington Office has monitored the public policy debate, and been represented at meetings with the Implementation Group for Television Ratings. Our Child Advocacy Project has helped educate the church about the needs of children, and particularly the devastating effects of violence on them.

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SPECIFIC COMMENTS ABOUT INDUSTRY PROPOSAL

The industry guidelines are overly broad as they include violence, language and sexual content in each category, but do not explain why a program falls within a particular category.

The proposed categories do not distinguish between violence, language or sexual content. Therefore, it is impossible to determine whether a program has been rated as TV-14, for example, due to "more intense violence", or "sexual content" or "strong language" or some combination of the three. This limits a parent's ability to determine a program's suitability by taking into account different levels of maturity among children. A parent who is concerned more about portrayals of violence than language, for example, cannot make informed judgments when different issues are lumped together.

This is particularly important as it pertains to violence. Literally, hundreds of studies have confirmed that repeated exposure to portrayals of violence have definite consequences. Viewers, both adult and children, tend to develop a deadening attitude toward violence resulting in a loss of compassion or empathy for victims of violence, and increased tolerance of higher degrees of aggressive acts. This is often called the "bystander effect" which leads to a numbing toward violence in real life. A hostile world view can result where one's perception of reality is distorted, something to be feared rather than engaged. This is often called the "victim effect." Children are especially vulnerable to this. Related to this is the "appetite effect." Here viewers tend to believe that violence is even more pervasive than it is, and believe that the world shown on television is actually the "real world."

In some instances, violence can be imitated in a person's behavior, the "aggression effect" including copycat violence. This is particularly true when violence is not placed within a context, or is portrayed as having no lasting consequences for the perpetrators or the victims. The American Psychological Association (APA) noted that on average children by the end of elementary school have witnessed 100,000 violent acts on television-- including 8,000 murders. The number of acts of violence viewed doubles by age 18, and the number of murders increases five fold. The linkage between watching violence and acting aggressively led the APA to conclude that "the accumulated research clearly demonstrates a correlation between viewing violence and aggressive behavior."

Another problem is the exclusion of more troublesome aspects of television programming from the industry guidelines. For example, the promotional advertisements for movies are frequently cited in studies as containing violent content which cannot possibly be contextualized. Also, the exclusion of news and so-called tabloid news programs fails to address their role in exposing viewers to violence.

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In fact, a case can be made that the industry has included all three in each category because it fears that violent programs will attract fewer advertisers. Our impression is that the general public is quite concerned about the amount and nature of violence on broadcast and cable television, a concern which could be converted into pressure on advertisers. In fact, as far back as 1977, the General Assembly urged individual members to "refrain from supporting economically companies that sponsor TV or radio programs or advertise in media in ways offensive to that individual's personal moral convictions."

The industry knows full well that it is on shaky ground when it comes to violence. For years, the industry dismissed study after study claiming that they did not take into consideration the context of the violence, whether it advanced the plot line or was essential to the story, or what level of violence was portrayed (a punch in the nose versus a brutal murder). However, even when the industry has commissioned its own studies, and determined the criteria in advance, recent research has revealed serious problems. As you know, these studies were conducted by the UCLA Center for Communication Policy for the networks, and Mediascope in association with the Universities of California, North Carolina, Texas and Wisconsin for the National Cable Television Association.

Public pressure has led to a reduced level of violence, particularly on broadcast TV, but violent acts still are portrayed as without consequence or are superfluous to the plot.

Guidelines which delineated between violence, language and sexual content would assist parents, and we believe would lead to fewer portrayals of violence.

The industry guidelines have excluded any description of the program's content, an omission which severely limits a parent's ability to determine whether a program is suitable for children.

This is a similar failing to the one described above. The industry has forged ahead with its rejection of any content-based ratings system despite surveys, polls and studies which indicate that parents overwhelmingly want a system which provides content description. Parents desire content description because it would empower them to make more informed judgments about whether a program reflects their own values, and is suitable for their children.

The industry, which will rate its own programs, asserts that its goal of simplicity requires its icon-based system rather than content description. However, it rejects even a minimal approach of adding a letter or letters, or even very brief descriptions to inform parents whether a program contains violence, language or sexual content. Certain categories of programs, such as movies shown on broadcast networks, or those which are broadcast at times when children are more likely to watch, could also feature more complete descriptions.

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The industry guidelines do not address the underlying social and public policy issue which has led to the need for a ratings system.

Public awareness of the detrimental effects of media portrayals of violence, sexual activity and profanity has grown significantly in recent years. Children's advocacy groups, medical and psychological associations, religious organizations, political leaders and others have called attention to the issue. The demise of the "family hour" and the decline of creative, educational children's programs have been juxtaposed with increased incidents of violence, an expanding vocabulary of permissible words and more suggestive or explicit sexual content. This has brought a lot of pressure to bear upon the broadcast and cable industry.

Unfortunately, the industry guidelines will not lead to better programs for children or adults. In fact, the opposite may be true as producers can hide behind a ratings system to claim that a viewer has been warned adequately. If you choose to watch a program now, you are responsible for the choice you make. Since the industry will not provide viewers with adequate information about program content, viewers are presented with a false choice. We believe that adoption of these industry guidelines will tend to perpetuate the problems by decreasing pressure on the industry.

The structural mechanism proposed by industry to monitor the implementation and consistency of the ratings lacks sufficient input from non-industry organizations, and cannot be trusted to amend the industry guidelines in a timely or adequate manner.

The language of the Telecommunications Act of 1996 clearly indicates that the purpose of any ratings system is to empower parents to make informed choices about the suitability of video programming. This rule of thumb applies both to any voluntary system or one developed by the Commission.

However, the industry guidelines fail to empower parents. Rather, they represent the least common denominator upon which the industry could agree, and which would require less of it. Clearly, the goal was to address industry's concerns primarily. The actual ratings are done by the producers themselves, and the oversight board is industry policing itself.

This might be acceptable if the process of developing the industry guidelines had been done with meaningful public involvement. While the guidelines are industry's, one can call them "voluntary" only by stretching the definition. The industry resisted public demands for a ratings system and increased children's programming. It dismissed all studies which linked its programs to actual changes in behavior until its own commissioned studies reached the same conclusions. It only agreed to develop a ratings system when it became clear that if it did not a ratings system would be developed for it. Even then it threatened court action if there was

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any attempt to alter its own or impose a different system.

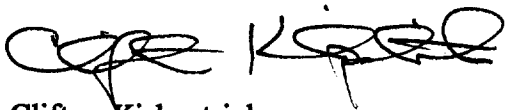
Now the industry wants to be trusted to monitor itself even if it is monitoring a flawed ratings system. There is no reason to believe that this oversight process would be any different from the one which led to this ratings system.

In announcing its ratings system, the industry described an elaborate process of consultation where it met with representatives of 68 different groups. We cannot speak about the experience of other organizations, but to call the two meetings held with the religious community by the Implementation Group for TV Ratings a consultation is not at all accurate. The religious community was promised in the first meeting that the industry wanted collaboration and input, that there would be regular contact including the sharing of drafts prior to finalizing a proposed system. This did not take place. The second meeting occurred on the very day that the proposed ratings system was revealed in the press. This was clearly a meeting to inform the religious community rather than consult with it. At that meeting, we were assured that the proposed ratings system had not been finalized despite the news stories, and that we would receive advance notice when the industry decided to announce formally its proposed system. This did not take place. Subsequently, industry representatives were quoted in the press describing organizations critical of its system as "special interest groups" pursuing their own agenda. This experience does not lead to any confidence that industry will oversee or improve its own ratings system without significant outside pressure. At a bare minimum, the oversight board should include several representatives who are clearly independent of industry.

SUMMARY

We appreciate the task before the Commission, and are grateful for this opportunity to comment on the adequacy of industry's proposal. We hope that you will agree that the proposed system is lacking in several significant respects, and should be modified to truly empower parents. We would hope that the industry would voluntarily adopt content description and delineate between violence, language and sexual content. However, if they resist, we hope that the Commission will fulfill its responsibility for the public good and require such important changes.

Respectfully submitted,



Clifton Kirkpatrick
Stated Clerk of the General Assembly